THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.16720 of 2005

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Dated: 29-07-2005

Between:

M/s Orient Cement, Devapur …Petitioner

And

The Assistant Commissioner (CT) LTU

Adilabad Division and another …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.16720 of 2005

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O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ)

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Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

The appeal filed by the petitioner before the Appellate Deputy Commissioner (CT) was rejected on the ground that he has not deposited 12.5% of the disputed tax, which has to be paid, so that the appeal is entertained. We have gone through the record and heard learned counsel for the parties. In the interest of justice, the impugned order is set aside. The petitioner is directed to pay 12.5% of the disputed tax within a period of two weeks. Any consequential order passed pursuant to the impugned order, shall not have any effect.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

29th July, 2005

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(K.C.Bhanu,J)

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